

**MINUTES OF THE REGULAR MEETING  
OF THE  
BUFFALO SEWER AUTHORITY**

**June 22, 2022**



# BUFFALO SEWER AUTHORITY

June 22, 2022

**REGULAR MEETING**                      **9:00 A.M.**                      **VIA TELECONFERENCE**  
**+ 1 917-933-2166 United States, New York City**  
**Phone Conference ID: #710 528 625**

<b><u>ITEM NO.</u></b>	<b><u>CONTENTS</u></b>	<b><u>PAGE NO.</u></b>
	Roll Call	
1	Motion to Adopt the Minutes of May 25, 2022	58200
2	Informative: Temporary Investments	58201-02
3	Informative: Reallocation of Funds	58203
4	Informative: Construction in Progress Transition	58204-06
5	Revision to Buffalo Sewer Authority Policies and Guidelines	58207
6	Payment from Judgment and Claims	58208
7	Amend Item No. 5, Claim Against Liability and Casualty Reserve Fund, May 4, 2022	58209
8	Authorization to Purchase Cyber Insurance	58210-11
9	Travel Authorization - Seattle, WA	58212
10	Travel Authorization - Cincinnati, OH	58213
11	Travel Authorization - Miami, FL	58214
12	Travel Authorization - Milwaukee, WI	58215
13	Travel Authorization - New Orleans, LA	58216
14	Contract Approval - Legal Services	58217
15	Change Order No. 4 – Contract No. 81700017	58218
16	Authorization for Renewal of Annual Customer Support Plan	58219



17	Change Order No. 5 – Contract No 82000009 Fiscal Years 2019-2022	58220-22
18	Authorization to Purchase Commodities Utilizing City of Buffalo Contract Pricing for Fiscal Year 2022-2023	58223
19	Authorization to Purchase Various Commodities Utilizing New York State Contract Pricing for Fiscal Year 2022-2023	58224
20	Change Order No. 2 – Contract No 82000030	58225-26
21	Change Order No. 1 – Contract No. 82000024 For Professional Engineering Services	58227-28
22	Report on Bids Received - Raw Wastewater Pump No. 3 Rehabilitation Project	58229
23	Authorization for Original Equipment Manufacturer Purchases Over \$20,000.00 And Services Over \$35,000.00 For Fiscal Year 2021-2022	58230-31
24	Extension of The Contract for In-Plant Electrical Maintenance Services	58232
25	Extension of The Contract for Utility Location Services	58233
26	Authorization for Financial Assistance for Jefferson at Delavan Real Time Control Project	58234-35
27	Authorization for Financial Assistance for Scajaquada- Black Rock RTC Sites and Sewer Improvements Project	58236-37
28	Change Order No. 3 – Contract No. 82000018	58238-40
29	Certificate of Acceptance and Occupancy	58241
30	Change Order No. 2 – Contract No. 82000017	58242-43
31	Change Order No. 1 – Contract No. 82000028	58244-45
32	Change Order No. 1 – Contract No. 82000039	58246-47
33	Amendment to Schedule of Job Classification Plan	58248
34	Amendment to Schedule of Job Classification Plan (“Seasonal” Laborers and Clerks)	58249
35	Confirmation of Appointments	58250-52
36	Request for Leave of Absence	58253
37	Tuition Reimbursement	58254
38	Tuition Assistance	58255



**ATTACHMENTS**

- Attachment A: Capital Asset Guide
- Attachment B: Purchasing Guidelines
- Attachment C: Fund Balance Policy
- Attachment D: Investment Guidelines
- Attachment E: Credit Card Policy



**CALL OF THE ROLL**

Present:	<u>Herbert Bellamy, Jr.</u>	<u>Chairman of the Board</u>
	<u>Christopher Roosevelt</u>	<u>Vice Chairman of the Board</u>
	<u>Eleanor Petrucci</u>	<u>Secretary of the Board</u>
	<u>Oluwole McFoy</u>	<u>General Manager</u>
	<u>Lori Scaletta</u>	<u>Acting Director of Employee Relations</u>
	<u>LaToya Cunningham</u>	<u>Special Assistant</u>
	<u>Charles Riley</u>	<u>Supervising Accountant</u>
	<u>Alexander Emmerson</u>	<u>Treatment Plant Superintendent</u>
	<u>Paul Harris</u>	<u>Superintendent of Mechanical Maintenance</u>
	<u>Roberta Gaiek, P.E.</u>	<u>Treatment Plant Administration</u>
	<u>Rosaleen Nogle, P.E.</u>	<u>Principal Sanitary Engineer</u>
	<u>Lauren Howard, Esq.</u>	<u>General Counsel</u>
	<u>Delano D. Dowell, Sr.</u>	<u>Deputy Comptroller</u>
	<u>Barbara Miller-Williams</u>	<u>City of Buffalo Comptroller</u>
	<u>Carol Burns</u>	<u>Assistant to Comptroller</u>
Absent:	<u>NONE</u>	<u></u>

The meeting was called to order at 9:02 A.M. A quorum was present.

ITEM NO. 1

Motion to Adopt the Minutes of the Meeting of May 25, 2022

MOTION TO	<u>ADOPT</u>
MADE BY	<u>MRS. PETRUCCI</u>
2 <sup>ND</sup> BY	<u>MR. ROOSEVELT</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of June 22, 2022

## ITEM NO. 2

INFORMATIVE: TEMPORARY INVESTMENTS (CERTIFICATES OF DEPOSIT AND TREASURY BILLS)  
MARKET VALUEAs of May 31<sup>st</sup>, 2022

ISSUE DATE	MATURITY DATE	TOTAL DAYS	AMOUNT	BANK	RATE	INTEREST AMOUNT
<b>CONSTRUCTION/CAPITAL IMPROVEMENT FUND</b>						
31-Jul-12	Money Market		\$2,116,683.65	Key	0.01%	Public NOW
17-Dec-21	14-Jun-22	179	\$999,595.56	Key Banc Capital	0.30%	\$1,491.67
25-Feb-22	24-Jun-22	119	\$2,000,611.95	Key Banc Capital	0.55%	\$3,639.75
7-Mar-22	1-Jul-22	116	\$11,989,253.28	Key Banc Capital	0.70%	\$27,066.67
8-Apr-22	7-Jul-22	90	\$3,801,931.81	Key Banc Capital	0.86%	\$8,182.90
8-Apr-22	7-Jul-22	90	\$3,202,573.13	Key Banc Capital	0.86%	\$6,892.90
20-Apr-22	19-Jul-22	90	\$4,492,282.50	Key Banc Capital	1.00%	\$11,250.00
1-Apr-22	2-Aug-22	123	\$3,802,596.75	Key Banc Capital	1.03%	\$13,411.54
11-May-22	7-Sep-22	119	\$9,455,848.75	Key Banc Capital	1.45%	\$44,534.03
31-May-22	26-Oct-22	148	\$6,096,766.28	Key Banc Capital	1.76%	\$44,455.25
			<u>\$47,958,143.66</u>			
<b>LIABILITY AND CASUALTY RESERVE FUND</b>						
31-Jul-12	Money Market		\$84,223.47	Key	0.01%	Public NOW
11-Dec-19	Money Market		\$917,732.91	Bank on Buffalo	0.10%	
			<u>\$1,001,956.38</u>			
<b>OPERATING FUND</b>						
31-Jul-12	Super NOW		<u>\$3,567,072.47</u>	Key	0.01%	Public NOW
<b>TRUST &amp; AGENCY FUND</b>						
31-Jul-12	Super NOW		<u>\$91,929.31</u>	Key	0.01%	Public NOW
<b>SURPLUS FUND</b>						
			\$308.58	Wilmington US Treasury	0.48%	
13-Dec-21	13-Jun-22	182	\$10,004,296.43	Key Banc Capital	0.31%	\$15,703.57
			\$14,668.18	Accrued Income		
			<u>\$10,019,273.19</u>			
<b>NET REVENUE FUND</b>						
			\$-	Wilmington US Treasury		
28-Mar-22	27-Jun-22	91	\$3,093,182.58	Key Banc Capital	0.87%	\$6,817.42
27-May-22	26-Jul-22	60	\$3,992,533.33	Key Banc Capital	1.12%	\$7,466.67
			\$5,491.81	Accrued Income		
			<u>\$7,091,207.72</u>			

**BSA 2021 EIB FUND**

			\$877.13	Wilmington U.S. Treasury	0.48%	
31-Dec-21	29-Jun-22	180	\$1,998,999.00	Key Banc Capital	0.20%	\$2,001.00
1-Mar-22	29-Jul-22	150	\$1,999,486.25	Key Banc Capital	0.66%	\$5,513.75
1-Apr-21	2-Aug-22	123	\$3,997,881.10	Key Banc Capital	1.03%	\$14,118.80
1-Dec-21	26-Aug-22	268	\$32,926,300.00	Key Banc Capital	0.30%	\$73,700.00
26-Apr-22	23-Sep-22	150	\$2,267,737.50	Key Banc Capital	1.50%	\$14,262.50
31-May-22	26-Oct-22	148	\$9,989,195.84	Key Banc Capital	1.76%	\$72,804.16
			\$66,038.49	Accrued Income		
			<b>\$53,246,515.31</b>			

**DEBT RESERVE FUND****Series J**

02-Jul-14	13-Nov-33	7076	\$515,879.00	UST State/Local Govt	2.70%	
			\$643.45	Accrued Income		
			<b>\$516,522.45</b>			

**Series K**

02-Jul-14	15-Feb-33	6803	\$361,415.00	UST State/Local Govt	2.70%	
			\$2,857.37	Accrued Income		
			<b>\$364,272.37</b>			

**Series L**

12-Nov-15	1-Oct-35	7263	\$689,547.00	UST State/Local Govt	2.44%	
			\$2,804.16	Accrued Income		
			<b>\$692,351.16</b>			

**Series M**

27-Jun-14	1-May-44	10901	\$595,613.00	UST State/Local Govt	2.70%	
			\$1,354.70	Accrued Income		
			<b>\$596,967.70</b>			

**Series N**

15-Nov-12	15-Apr-32	7091	\$2,167,157.00	UST State/Local Govt	2.42%	
			\$6,734.77	Accrued Income		
			<b>\$2,173,891.77</b>			

**EFC 2021**

			\$291.93	Wilmington U.S. Treasury		
17-May-22	7-Sep-22	113	\$317,578.15	Key Bank Capital	1.42%	\$1,421.85
			\$188.86	Accrued Income		
			<b>\$318,058.94</b>			

**DSF PRIN & INT**

Wilmington Fund

**\$0.01****DSF 2021 EIB**

			\$1,687,922.73	Wilmington Fund	0.48%	
			\$591.27	Accrued Income		
			<b>\$1,688,514.00</b>			

**RECEIVE & FILE**

Board Meeting of June 22, 2022

## ITEM NO. 3

## INFORMATIVE: REALLOCATION OF FUNDS

The following budgetary transfers have been made to cover unforeseen shortages. These transfers do not change the total amount of the Buffalo Sewer Authority's operating budget.

***Wastewater Treatment Plant***

5/13/2022	00200105 PLAN Equipment Maintenance	-\$100.00	00200107 PLAN Operating Equipment	\$100.00
5/31/2022	00370105 CENT Equipment Maintenance	-\$46,000.00	00290105 AER Equip. and Maintenance	\$46,000.00
6/6/2022	00370105 CENT Repairs to Equipment	-\$1,500.00	00520106 MAIN Repairs to Equipment	\$1,500.00

***Sewer Maintenance Division***

5/19/2022	00650103 SWRM Electric Light & Power	-\$6,000.00	00660107 SWRR Operating Equipment	\$6,000.00
5/23/2022	00690107 AUTO Operating Equipment	-\$3,000.00	00660105 SWRR Road & Highway	\$3,000.00
6/6/2022	00650103 SWRM GAS	-\$2,905.00	00660105 SWRR Road & Highway	\$2,905.00
6/7/2022	00650103 SWRM GAS	-\$3,500.00	00660105 SWRR Road & Highway	\$3,500.00
6/7/2022	00650103 SWRM GAS	-\$405.00	00670105 SWRR Chemicals & Gases	\$405.00

***Engineering Division***

5/24/2022	00600106 ENG Engineering & Tech	-\$15,000.00	00200106 PLAN Engineering & Tech	\$15,000.00
-----------	------------------------------------	--------------	-------------------------------------	-------------

**RECEIVE & FILE**

Board Meeting of June 22, 2022

## ITEM NO. 4

**INFORMATIVE: CONSTRUCTION IN PROGRESS TRANSITION**

The Buffalo Sewer Authority's Capital Asset Guide, states that Construction in Progress reflects project construction costs for buildings and other structures, infrastructure additions, alterations, reconstruction, and installations that are incomplete.

In accordance with the Capital Asset Guide the Board of the Buffalo Sewer Authority shall approve the Certificate of Occupancy, or an informational item indicating that the project is complete.

The date the Certificate of Occupancy or informational item is approved by the Board shall be the date that a project is moved from Construction in Progress to Fixed Asset Infrastructure Inventory for accounting purposes.

As such the attached schedule represents the relative costs which are deemed complete to be assigned to a fixed asset category.

This item is presented to the Board for their information to be acknowledged and received and filed.

**RECEIVE AND FILE**

Board Meeting of June 22, 2022

**Buffalo Sewer Authority  
Analysis of Construction in Progress  
Completed Projects as of 6/1/2022**

The following projects are deemed complete and should be added to fixed assets.

<b>Contract or Account Number</b>	<b>Description</b>	<b>Total Amount</b>	<b>Sewer System</b>	<b>Treatment Facility</b>
81500020	SCADA Upgrades	102,900.00		102,900.00
02000270- 474080	Aeration Cleaning	105,047.56		105,047.56
85100036	Eng & Tech Services Plant DMS	244,930.37		244,930.37
81400003	Digester Feed Evaluation	39,230.00		39,230.00
02000355- 490740	Fillmore GI Betterment Recon	179,975.48	179,975.48	
02000356- 490740	Carlton St GI Betterment Recon	148,756.89	148,756.89	
02000360- 490740	Sewer Betterment Ohio St Recon	31,128.27	31,128.27	
02000365- 490740	Green Infra Niagara II Eng Tech	354,973.57	354,973.57	
81900008	Green Infra Niagara St Phase I	724,846.36	724,846.36	
81500003	Power Distribution Study Eng Tech	118,346.49		118,346.49
81500004	Low Pressure Blower Study	14,889.65		14,889.65
81500018	Influent Trash Racks Eng Tech	239,600.00		239,600.00
81500006	Term Eng Wendel Eng & Tech Serv	240,830.14	44,549.90	196,280.24
81500016	MH Furnace Equip & Controls	5,000.00		5,000.00
02000387- 474100	Sludge Handling Pump Equipment	617,720.00		617,720.00
02000398- 490740	Niagara St Ph 2 Streetscape	1,261,130.61	1,261,130.61	
02000399- 490740	Genesee Gateway Streetscape	426,300.27	426,300.27	
02000408- 490740	Multiple Hearth Furnace #3	789,985.00		789,985.00
81600018	Collection System Conversion	199,386.21	199,386.21	
81600022	Design/Construct 2nd Cake Pump	41,032.36		41,032.36
81700004	GIS & GPS Professional Service	167,425.62	167,425.62	
81700005	Kay RTC In Line Storage	306,428.76		306,428.76
02000442- 432004	Vacant Lot	495,455	495,455	
02000447- 490740	Bflo Riverwalk Shoreline Trail	28,031.00	28,031.00	

81800015	Raincheck 2.0	1,059,961.00	\$1,059,961.00	
81800013	CHA Eng Serv Agreement	368,951.83		368,951.83
81800012	Arcadis Eng Svc Term Agreement	369,996.19		369,996.19
81900001	In-Plant Mechanical Services	607,670.82		607,670.82
81900010	Betterment-Allen St Reconstruction	265,339.17	265,339.17	
82000029	Raw RR Pump & Motor #1 Rehab	790,959.55		790,959.55

Total to remove from CIP G/L #08000000-165000	10,346,228.17	5,387,259.35	4,958,968.82
--	---------------	--------------	--------------

Add to Fixed Assets:

Sewer System G/L #08000000-166070		5,387,259.35	
Treatment Facility Improvements G/L #08000000-162010			4,958,968.82

ITEM NO. 5

**REVISION TO BUFFALO SEWER AUTHORITY POLICIES AND GUIDELINES**

WHEREAS: The Buffalo Sewer Authority has developed the following policies and guidelines:  
Capital Asset Guide (Attachment A)  
Purchasing Guidelines (Attachment B)  
Fund Balance Policy (Attachment C)  
Investment Guidelines (Attachment D)  
Credit Card Policy (Attachment E); and

WHEREAS: These policies and guidelines shall be annually reviewed and approved by the Board.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby adopts the policies and guidelines listed above.

MOTION TO APPROVE  
MADE BY MRS. PETRUCCI  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 3 NOES 0

Board Meeting of June 22, 2022



ITEM NO. 7

**AMEND ITEM NO. 5, CLAIM AGAINST LIABILITY AND CASUALTY RESERVE FUND,  
MAY 4, 2022**

WHEREAS: On May 4, 2022, the Buffalo Sewer Authority Board approved Item No. 5, Claim Against Liability and Casualty Reserve Fund; and

WHEREAS: The item incorrectly stated “a final settlement in the amount of \$3,505.09 in full and complete settlement of this matter;” and

WHEREAS: The item should state “a final settlement in the amount of \$4,151.77 in full and complete settlement of this matter.”

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby accept this amendment to the May 4, 2022, Board Item No. 5, Claim Against Liability and Casualty Reserve Fund, and authorize this item to be corrected.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

## ITEM NO. 8

**AUTHORIZATION TO PURCHASE CYBER INSURANCE**

WHEREAS: As cybercrimes have impacted many sectors, and costs for applicable coverage continues to rise, the Buffalo Sewer Authority, through its third-party vendors, USI Insurance and Lawley Insurance received renewal quotes for cyber insurance for the upcoming fiscal year; and

WHEREAS: Based on these efforts, USI Insurance and Lawley Insurance received the following quotes:

<b>Carrier</b>	<b>Coverage Limit</b>	<b>Retention</b>	<b>Premium</b>
AIG	\$1,000,000.00	\$100,000.00	\$100,000.00
Axis Insurance	\$3,000,000.00	\$500,000.00	\$100,000.00
Beazley Insurance	Declined Coverage		
Berkley Insurance	Declined Coverage		
Corvus Insurance	Declined Coverage		
Hartford Group	Declined Coverage		
Lloyd's of London/CFC	\$3,000,000.00	\$25,000.00	\$35,203.97
RPS Insurance	\$3,000,000.00	\$250,000.00	\$100,000.00
Tokio Marine/HCC (current carrier)	\$3,000,000.00	\$50,000.00	\$37,580.22
Travelers Insurance	Declined Coverage		

; and

WHEREAS: After due diligence the Authority and its agents discussed limits, retention, and coverages, and have determined Lloyd's of London/CFC is the best qualified cyber insurance carrier based on the following:

- The Lloyd's of London/CFC policy has an eight-hour waiting period after a business interruption before coverage begins. The Tokio Marine policy has a one-week waiting period.
- The Lloyd's of London/CFC policy has a retention amount of \$25,000.00. The Tokio Marine policy has a retention amount of \$50,000.00.
- Business interruption coverage for The Lloyd's of London/CFC policy is \$3,000,000.00. the business interruption coverage for he Tokio Marine policy is \$1,000,000.00.

WHEREAS: Based on industry ratings and additional supportive services, the Acting Executive Secretary, Systems Administrator and staff recommend accepting the proposal from. from Lloyd's of London/CFC for a cost not to exceed \$35,203.97 for the period July 1, 2022 – June 30, 2023; and



ITEM NO. 9

**TRAVEL AUTHORIZATION - SEATTLE, WA**

WHEREAS: The Buffalo Sewer Authority is continuing strategic efforts, focused on effective utility management approach endorsed by National Association of Clean Water Agencies (NACWA); and

WHEREAS: The NACWA Utility Leadership Conference will be held in Seattle, Washington from July 24, 2022 – July 27, 2022, covering latest approaches, practices, peer-to-peer developments, case studies and research in various areas of utility leadership; and

WHEREAS: The General Manager serves as Treasurer on the NACWA Board representing Environmental Protection Agency Region 2; and

WHEREAS: The Chairman of the Board and General Manager are leading the efforts in exploration of best industry performance practices; and

WHEREAS: The General Manager recommends attendance at the NACWA Utility Leadership Conference.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Board and General Manager to travel to Seattle, WA from July 23 – 28, 2022, to attend the NACWA Utility Leadership Conference at a total cost not to exceed \$7,500.00. Account nos. 00110104-458010, 00110104-458012, 00100104-458010 and 00100104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022



ITEM NO. 11

**TRAVEL AUTHORIZATION - MIAMI, FL**

WHEREAS: The Future of Water Summit 2022 is a collaborative with the goal of developing a unified vision for collective water governance to ensure a secure, just and affordable water future for all; and

WHEREAS: The Future of Water Summit 2022 will be held in Miami, Florida from August 8 – 10, 2022; and

WHEREAS: The Summit has invited local, state and federal partners, non-governmental agencies, service and technology providers, and members of the academic community to convene and leverage existing efforts to formulate a call to action to ensure more sustainable and resilient society; and

WHEREAS: The General Manager has been invited to share the Authority’s water equity, affordability, and smart sewer initiatives with other partners with similar initiatives and goals; and

WHEREAS: The Chairman of the Board and General Manager are leading the efforts in exploration of best industry performance practices; and

WHEREAS: The General Manager recommends attendance at The Future of Water Summit 2022.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the Chairman of the Board and General Manager to travel to Miami, Florida from August 7 – 10, 2022, to attend The Future of Water Summit at a total cost not to exceed \$4500.00. Account nos. 00110104-458010, 00110104-458012, 00100104-458010, and 00100104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

ITEM NO. 12

**TRAVEL AUTHORIZATION - MILWAUKEE, WI**

WHEREAS: The General Manager serves as the board Chairman for the US Water Alliance, an organization dedicated to managing water in a sustainable and inclusive manner to build strong economies, vibrant communities and healthy environments; and

WHEREAS: The US Water Alliance is holding its annual One Water Summit 2022 in Milwaukee, WI from September 13 – September 15, 2022 along with a convening of the Water Equity Network learning teams on September 12, 2022; and

WHEREAS: The Authority serves as a peer city partner in the Water Equity Network and continues to benefit from the community based initiatives that are developed through the virtual and in-person convenings; and

WHEREAS: As the Chairman of the Board of Directors for US Water Alliance, the General Manager needs to attend the annual board meeting, remain active on the latest innovative and inclusive approaches to foster community connections, manage water, and navigate regulatory issues; and

WHEREAS: The Authority’s Principal Sanitary Engineer has been awarded a scholarship by Duke University’s Water Innovation Leadership Development (WILD) program as part of their delegation for registration and hotel costs (approximately \$1,142.00) to attend this summit; and

WHEREAS: The General Manager recommends attendance for himself, Special Assistant (BSA), General Counsel, and Principal Sanitary Engineer as Buffalo Learning Team Representatives to the US Water Alliance One Water Summit 2022.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager, Special Assistant, General Counsel, and Principal Sanitary Engineer to travel to Milwaukee, WI from September 11 - 16, 2022, to attend the US Water Alliance One Water Summit 2022 at a total cost not to exceed \$9,800.00. Account nos. 00110104-458010, 00110104-458012, 00600104-458010 and 00600104-458012 will be utilized for this travel.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0



ITEM NO. 14

**CONTRACT APPROVAL - LEGAL SERVICES**

WHEREAS: The Buffalo Sewer Authority has many complex general labor and employment matters as well as contract negotiations that require the skill of specialized labor relations attorneys; and

WHEREAS: The law firm Phillips Lytle LLP has extensive experience in these areas; and

WHEREAS: Phillips Lytle LLP has been satisfactorily representing the Authority with these matters; and

WHEREAS: Upon request, Phillips Lytle LLP has submitted a proposal to represent the Buffalo Sewer Authority for the period July 1, 2022 - June 30, 2023; and

WHEREAS: The General Manager recommends approval to retain Phillips Lytle LLP for general labor and employment matters as well as contract negotiations in an amount not to exceed \$50,000.00 for the current fiscal year.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to retain Phillips Lytle LLP to provide legal services to the Buffalo Sewer Authority in connection with general labor and employment matters for the period July 1, 2022 – June 30, 2023 in an amount not to exceed \$50,000.00. Account no. 00110106-432003 shall be utilized for these services.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

ITEM NO. 15

**CHANGE ORDER NO. 4 – CONTRACT NO. 81700017**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,042,556.00
Research Foundation for the State	PREVIOUS CHANGE ORDERS	\$353,019.34
University of New York	THIS CHANGE ORDER	\$0
402 Crofts Hall	ADJUSTED CONTRACT COST	<u>\$1,395,575.34</u>
University at Buffalo		
Buffalo, New York 14260		

PROJECT: UB RENEW Professional Services to Support Long Term Control Plan Efforts

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 No cost extension to December 31, 2022.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Additional time to support ongoing modeling and digital analytics efforts.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$0

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$0

The total INCREASE to the contract as a result of this Change Order is \$0

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 4 to Contract No. 81700017 as written in the above Agenda Item, with adjusted contract cost remaining at \$1,395,575.34

MOTION TO APPROVE  
 MADE BY MRS. PETRUCCI  
 2<sup>ND</sup> BY MR. ROOSEVELT  
 AYES 3 NOES 0

Board Meeting of June 22, 2022

ITEM NO. 16

**AUTHORIZATION FOR RENEWAL OF ANNUAL CUSTOMER SUPPORT PLAN**

WHEREAS: The Buffalo Sewer Authority utilizes International Business Machines Maximo Maintenance System software for asset management, work order tracking, purchasing and inventory control program; and

WHEREAS: An annual customer support plan is beneficial in order to keep current, receive the latest releases of this program and receive unlimited off-site support; and

WHEREAS: The Treatment Plant Superintendent, Systems Administrator and staff recommend renewal of the annual customer support plan with International Business Machines Corporation for the period July 1, 2022, through June 30, 2023 for a cost of \$106,677.00; and

WHEREAS: Board approval is required on services over \$35,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the annual customer support plan with International Business Machines Corporation for a one-year period, July 1, 2022 through June 30, 2023, at a cost not to exceed \$106,677.00. Account no. 00200106-443420 will be charged for this service.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

## ITEM NO. 17

**CHANGE ORDER NO. 5 – CONTRACT NO 82000009 FISCAL YEARS 2019-2022**

CONTRACTOR:	ORIGINAL COST	\$204,999.00
Quackenbush Company, Inc.	PREVIOUS CHANGE ORDER	\$1,176,274.25
495 Kennedy Road	CONTRACT CLOSE OUT	\$180,000.00
Buffalo, New York 14227	ADJUSTED CONTRACT COST	\$1,561,273.25

PROJECT: In Plant High Pressure Steam System Maintenance Service

---

Board Approval Date	7/31/2019	Approval Amount	\$204,999.00
Change Order Date	9/30/2020	Change Order Amount #1 Contract Renewal	\$300,000.00
Change Order Date	12/16/2020	Change Order Amount #2	\$243,508.00
Change Order Date	7/28/2021	Change Order Amount #3	\$252,766.25
Change Order Date	6/23/2021	Change Order Amount #4 Contract Renewal	\$300,000.00
Change Order Date	3/9/2022	Change Order Amount #5	\$80,000.00
Change Order Date	6/22/2022	Contract Close Out	\$180,000.00

**DESCRIPTION OF PREVIOUS CHANGE OR EXTRA WORK:****EXTRA WORK CHANGE ORDER #2 DECEMBER 16, 2020**

Further plant repair work needed to satisfy Treatment Plant operability, availability and safety concerns for the remaining fiscal year 2020-2021 to include:

- Protected water pump 1 & 2 replacement
- Installation of exhaust fans 20-25 in Megastructure
- Installation of exhaust fans 30 in chemical handling
- Upgrade air handling unit at Hamburg Drain
- Upgrade glycol heating hot water system in Megastructure
- Installation of condensing and evaporating coils in air handling unit J-1 of Administration building
- Sound Digester building steam heating system and condensate system upgrade
- Primary heating hot water system installation of pumps CP 62, 63, 64
- Ash system corrective maintenance to clinker grinders
- Exhaust fan upgrades in Administration building
- Duct work fabrication in various plant locations
- Condensate and high pressure steam line piping and expansion joint replacement.

Total amount of change order \$243,508.00

EXTRA WORK CHANGE ORDER #3 JULY 28, 2021

Further plant repair work needed to satisfy Treatment Plant operability, availability, and safety concerns for the remaining fiscal year 2020-2021 to include:

- Repair Grunfoss primary heating hot water pumps.
- Installation of Admin temporary AC unit.
- Install protected water pump #2.
- Replace steam traps and related condensate piping in basement of Old Control.
- Install new coil and condensing unit for AHUJ1, Admin. Bldg..
- Ash system repairs.
- Replace piping. Valves and condensate traps on Glycol Loop of 2<sup>nd</sup> floor Mega.
- Rebuild 3 spare protected water pumps.
- Steam and condensate repair in basement of Compressor bldg.
- Back up Compressor piping for Aux Boilers.
- Repair and install temporary heat in Blower Bldg. and Mega.
- Install HHW circulating pumps on A-side and B-side Aeration.
- Re-pipe and replace Final Effluent HHW and CW circulating pumps and piping.

Total amount of change order \$252,766.25

EXTRA WORK CHANGE ORDER #5 MARCH 9, 2022:

Further plant repair work needed to satisfy Treatment Plant operability, availability and safety concerns for the remaining fiscal year 2021-2022 to include:

- Installation of pre-heat coils in AHU 7-14.
- Installation of rebuilt Ash System Mechanical Exhauster.
- Installation of Exhaust Fan HV-3 on roof of Grit Building.
- Installation of two Split System AC Units in Aeration Control Room.
- Installation of Split System AC Unit in Lab Bacteriological Room.
- Steam Station repair on Glycol Loop On 2nd floor of Megastructure.
- Steam Station repairs and HX repairs on Chemical Handling Heating Hot Water System.
- South Ash Silo repairs and cleaning.
- Digester Hot Water Heat Exchanger upgrades and repairs.
- Blower Building AHU repairs.

Total Amount of change order \$80,000

CONTRACT CLOSE OUT:

Further plant repair work needed to satisfy treatment plant operability, availability and other steam system and HVAC concerns for the remaining 2021-2022 fiscal year.

- Includes emergency rehabilitation work of air handler 2B and the associated equipment for blower building MCC room

Total amount of change order \$180,000.00

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the Original contract or as modified by previous contract remains unchanged.
2. Any additional work to be performed under this Contract Supplement shall be carried out in compliance with the specifications included in the preceding Description of Changes involved with the Supplemental Contract Drawings designated none and under the provisions of the Original Contract, including compliance with applicable Equipment specifications, General Specifications and Project Specifications for the same type of work.
3. This Contract Supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the Original Contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and Payment Bonds and Contractor’s Insurance all work covered by this Contract Supplement. The Contractor will furnish to the Owner evidence of increased coverage of his Performance and Payment Bonds for the accrued value of all Contract Supplements that exceeds the Original Contract Price by twenty percent (20%).
5. The costs established under this Contract Supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE

BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves Contract Close Out Change Order amount to Contract No. 820000029 as written in the above Agenda Item, increasing the contract cost in the amount of \$180,000.00, making the adjusted contract cost \$1,561,273.25.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022





## ITEM NO. 20

**CHANGE ORDER NO. 2 – CONTRACT NO 82000030**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,700,000.00
Greeley and Hansen LLC	PREVIOUS CHANGE ORDER	\$698,600.00
100 South Wacker Dr.	THIS CHANGE ORDER	\$336,900.00
Chicago, IL 60606-4004	ADJUSTED CONTRACT COST	\$2,735,500.00

PROJECT: Primary Treatment Rehabilitation

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Additional Engineering and design for the Primary Treatment Rehabilitation Project.

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Additional engineering services are necessary to accommodate accompanying needs for the Primary Treatment System Upgrades Project. Engineering design services include the high rate disinfection pumping station, civil site and process work, odor control analysis and design, electrical and mechanical work, architectural work, and Instrument and Controls fiber optic routing.

**COST OF CHANGE ORDER NO. 2:**

Item #1 \$336,900.00

THE TOTAL COST OF CHANGE ORDER NO 2: \$336,900.00

WHEREAS: In Item No. 10, on October 20, 2021 the Board approved Change Order No. 1 in the amount of \$698,600.00 for additional design work needed for the Primary Treatment Rehabilitation Project; and

WHEREAS: The Treatment Plant Administrator and staff have reviewed a request for Change Order No.2 to Contract No. 82000030 in the amount of \$336,900.00 as detailed above and recommend its approval

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 82000030 as written in the above Agenda Item, increasing the contract cost in the amount of \$336,900.00, making the adjusted contract cost \$2,735,500.00

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

## ITEM NO. 21

**CHANGE ORDER NO. 1 - CONTRACT NO . 82000024**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$250,000.00
GHD, Inc.	PREVIOUS CHANGE ORDER	\$ .00
285 Delaware Avenue, Suite 500	THIS CHANGE ORDER (INCREASE)	<u>\$158,700.00</u>
Buffalo, New York 14202	ADJUSTED CONTRACT COST	\$408,700.00

PROJECT: GHD Engineering Term Agreement

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Additional Engineering Task orders

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 GHD has the expertise necessary to assist Buffalo Sewer Authority in construction administration and inspection services for the upcoming Raw Wastewater Pump and Motor Rehabilitation project.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$158,700.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK \$158,700.00

The total INCREASE to the contract as a result of this Change Order is \$408,700.00

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date unchanged.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.



## ITEM NO. 22

**REPORT ON BIDS RECEIVED - RAW WASTEWATER PUMP NO. 3 REHABILITATION PROJECT**

WHEREAS: Formal bids were advertised and solicited for the rehabilitation of Raw Wastewater Pump No. 3 at the Bird Island Treatment Facility. The following bids were received and opened by the Buffalo Sewer Authority on June 3rd, 2022:

<b>BIDDER</b>	<b>TOTAL AMOUNT BASE BID ITEMS</b>	<b>TOTAL AMOUNT ALTERNATE A BID ITEM</b>	<b>TOTAL BASE BID + ALTERNATES A BID ITEMS</b>
<b>Hohl Industrial Services, Inc.</b>	<b>\$2,132,400.00</b>	<b>\$246,100.00</b>	<b>\$2,378,500.00</b>
<b>American Contracting &amp; Environmental Services, Inc.</b>	<b>\$2,316,000.00</b>	<b>\$130,000.00</b>	<b>\$2,446,000.00</b>
<b>The State Group</b>	<b>Non Responsive bidder</b>		

WHEREAS: The bids were received, and the contract will be awarded on the basis of lump sum prices. The bids reflect the true amount of the contract; and

WHEREAS: The Buffalo Sewer Authority's Consulting Engineer, GHD Inc., reviewed the quotes received and recommend the purchase be awarded to Hohl Industrial Services, Inc. at a total cost not to exceed \$2,378,500.00; and

WHEREAS: The Treatment Plant Administrator concurs with the recommendation of the Consulting Engineer.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to enter into and execute a contract for the rehabilitation of Raw Wastewater Pump No. 3 with Hohl Industrial Service, Inc., in the amount of \$2,378,500.00. This purchase will be charged to account no. 002000549-490740.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

## ITEM NO. 23

**AUTHORIZATION FOR ORIGINAL EQUIPMENT MANUFACTURER PURCHASES OVER \$20,000.00 AND SERVICES OVER \$35,000.00 FOR FISCAL YEAR 2021-2022**

WHEREAS: The Buffalo Sewer Authority designated various original equipment manufacturers, and/or their local representatives, as sole sources for the purchase of various commodities, technology, and/or services for the fiscal year 2022-2023; and

WHEREAS: Based upon historical usage and the fiscal budget plan for this fiscal year of 2022-2023, the Superintendent of Mechanical Maintenance has determined that purchases for the following sole source designated vendors for various commodities, technologies and/or services shall not exceed those listed below for the fiscal year 2022-2023:

<b>Original Equipment Manufacturer</b>	<b>Estimated Purchases/Services</b>
ABB Inc., Instrumentation Department	\$50,000.00
APG Neuros	\$20,000.00
Auma Actuators	\$100,000.00
Blackmer, Division of Dover Energy Inc.	\$110,000.00
Comairco	\$40,000.00
Diamond Power	\$40,000.00
Duperon	\$25,000.00
EIM Controls	\$100,000.00
Envirocare	\$80,000.00
Evoqua Water Technologies	\$90,000.00
GEA Mechanical Equipment US Inc. -GEA Westfalia Separator Division	\$375,000.00
Gorman-Rupp Company	\$60,000.00
Goulds/ITT IP Division	\$30,000.00
Henry Pratt	\$50,000.00
Infilco	\$100,000.00
Ingersoll-Rand	\$130,000.00
JDV	\$30,000.00
JWC Environmental, LLC	\$120,000.00
Limitorque (Division of Flowserve)	\$60,000.00
Prntaire/Fairbanks	\$20,000.00
Royal Purple	\$25,000.00
Schwing Bioset	\$80,000.00
Serpentix	\$50,000.00
Smith & Loveless, Inc.	\$60,000.00
Val-Matic Valve	\$30,000.00
Val-Matic Valve (Scum Ejector Parts)	\$ 70,000.00
Vaughan Co., Inc.	\$120,000.00

Vega	\$30,000.00
W.S.G. & Solutions	\$75,000.00
Xylem Water Solutions (ITT Flygt Pumps)	\$140,000.00
Xylem Water Solutions (Allis Chalmers Pumps)	\$40,000.00
YSI Incorporated	\$30,000.00

; and

WHEREAS: The Superintendent of Mechanical Maintenance, Treatment Plant Superintendent, and staff recommend approval for the estimated amounts listed for the various original equipment manufacturers for purchases/services anticipated for fiscal year 2022-2023; and

WHEREAS: Board approval is required on purchases made over \$20,000.00 and services over \$35,000.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to purchase original equipment commodities, as needed, and services from the original equipment manufacturers, or their designated local representatives, at a total cost not to exceed the listed amounts for fiscal year 2022-2023 and to charge the appropriate department accounts.

MOTION TO APPROVE  
 MADE BY MR. ROOSEVELT  
 2<sup>ND</sup> BY MRS. PETRUCCI  
 AYES 3 NOES 0

Board Meeting of June 22, 2022

ITEM NO. 24

**EXTENSION OF THE CONTRACT FOR IN-PLANT ELECTRICAL MAINTENANCE SERVICES**

WHEREAS: On June 23, 2021, the Board of the Buffalo Sewer Authority awarded a contract to O’Connell Electric Company, Inc., for In-Plant Electrical Maintenance Services at a total cost not to exceed \$600,000.00 for the fiscal year 2021-2022 with up to four (4) one-year renewals beginning July 1, 2021; and

WHEREAS: O’Connell Electric Company, Inc., has agreed to extend this contract for one (1) additional year under the same terms and conditions for fiscal year 2022-2023; and

WHEREAS: The Superintendent of Mechanical Maintenance and staff recommend this extension at a total cost not to exceed \$1,418,616.00.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with O’Connell Electric Company, Inc., for In-Plant Electrical Services for the period July 1, 2022 through June 30, 2023, at a total cost not to exceed \$1,418,616.00. Expenses for this contract will be charged to account no. 00520106-443421.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

ITEM NO. 25

**EXTENSION OF THE CONTRACT FOR UTILITY LOCATION SERVICES**

WHEREAS: On September 30, 2020, the Board of the Buffalo Sewer Authority awarded a contract to On the Mark, LLC (OTM) for utility location services for the period from November 1, 2020 through June 30, 2021 at the total cost not to exceed \$68,772.00 with up to four (4) one-year renewals beginning July 1, 2021; and

WHEREAS: On April 7, 2021, the Board authorized a change order due to larger than expected number of tickets and linear feet of markings for the amount of \$50,000.00 to cover the costs through the end of the period on June 30, 2021; and

WHEREAS: On June 23, 2021, the Board authorized a one (1) year extension at a cost not to exceed \$236,000.00 for fiscal year 2021-2022; and

WHEREAS: OTM has agreed to extend this contract for one (1) year under the same terms and conditions for fiscal year 2022-2023; and

WHEREAS: Based on the ticket count and linear footage from the previous year (June 1, 2020 – May 30, 2021), the Principal Sanitary Engineer and staff recommend this extension at a total cost not to exceed \$225,000.00 for the 2022-2023 fiscal year.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to renew the contract with OTM for utility location services at a cost not-to-exceed \$225,000.00 for the period July 1, 2022 through June 30, 2023. Account no. 00600106-432004 will be utilized for these services.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

ITEM NO. 26

**AUTHORIZATION FOR FINANCIAL ASSISTANCE FOR JEFFERSON AT DELAVAN REAL TIME CONTROL PROJECT**

WHEREAS: The New York State Department of Environmental Conservation (DEC), New York State Environmental Facilities Corporation (EFC), New York State Energy Research & Development Authority (NYSERDA), Federal Emergency Management Agency (FEMA), and the United States Environmental Protection Agency (USEPA) provide funding for projects that improve water quality, reduce energy consumption, increase resiliency, utilize green infrastructure, and mitigate the impacts of climate change through various grant and loan programs; and

WHEREAS: Loan and grant providing entities require that a designee be appointed to execute and deliver applications and agreements; and

WHEREAS: The current estimate for the Jefferson at Delavan RTC Project is \$37,000,000.00; and

WHEREAS: The General Manager recommends authorization to execute and deliver grant and loan applications and agreements for this project; and

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute and deliver a grant and loan applications and agreements with EFC, DEC, NYSERDA, FEMA, and/or USEPA to apply for, execute, and deliver grant agreements to defer the cost of this project, and to provide such additional information as may be required to make such agreements on behalf of the Buffalo Sewer Authority.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

**CERTIFICATE**

I, Oluwole A. McFoy, General Manager of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on June 22, 2022, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted on June 22, 2022, and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract, and that said resolution has not been amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Authority this 22<sup>nd</sup> day of June 2022.

(SEAL)

---

Oluwole A. McFoy, PE  
General Manager, Buffalo Sewer Authority

ITEM NO. 27

**AUTHORIZATION FOR FINANCIAL ASSISTANCE FOR SCAJAQUADA- BLACK ROCK RTC SITES AND SEWER IMPROVEMENTS PROJECT**

WHEREAS: The New York State Department of Environmental Conservation (DEC), New York State Environmental Facilities Corporation (EFC), New York State Energy Research & Development Authority (NYSERDA), Federal Emergency Management Agency (FEMA), and the United States Environmental Protection Agency (USEPA) provide funding for projects that improve water quality, reduce energy consumption, increase resiliency, utilize green infrastructure, and mitigate the impacts of climate change through various grant and loan programs; and

WHEREAS: Loan and grant providing entities require that a designee be appointed to execute and deliver applications and agreements; and

WHEREAS: The current estimate for the Scajaquada-Black Rock Real-Time Control (RTC) Sites and Sewer Improvements Project is \$2,454,518.00; and

WHEREAS: The General Manager recommends authorization to execute and deliver grant and loan applications and agreements for this project; and

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby authorizes the General Manager to execute and deliver a grant and loan applications and agreements with EFC, DEC, NYSERDA, FEMA, and/or USEPA to apply for, execute, and deliver grant agreements to defer the cost of this project, and to provide such additional information as may be required to make such agreements on behalf of the Buffalo Sewer Authority.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 <sup>ND</sup> BY	<u>MRS. PETRUCCI</u>
AYES	<u>3</u> NOES <u>0</u>

**CERTIFICATE**

I, Oluwole A. McFoy, General Manager of the Buffalo Sewer Authority in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing attached extract from the Minutes of a meeting of the Board of Directors of said Authority, duly called and held on June 22, 2022, and at which a quorum was present and acting throughout and the resolution contained therein is a true and complete copy of the resolution thereupon adopted on June 22, 2022, and recorded in the Minutes of said Authority and that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Authority and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract, and that said resolution has not been amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Authority this 22<sup>nd</sup> day of June 2022.

(SEAL)

---

Oluwole A. McFoy, PE  
General Manager, Buffalo Sewer Authority

## ITEM NO. 28

**CHANGE ORDER NO. 3 – CONTRACT NO. 82000018**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$1,439,500.00
Pinto Construction Services Inc.	PREVIOUS CHANGE ORDERS	\$109,631.95
132 Dingens Street	THIS CHANGE ORDER	<u>\$11,215.36</u>
Buffalo, NY 14206	ADJUSTED CONTRACT COST	\$1,560,347.31

WORK: Babcock Pump Station Real Time Control Project

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 Traffic Control
- Item #2 Inspection Services
- Item #3 OCP Insurance Policy
- Item #4 Final Adjustment

**REASON FOR CHANGE OR EXTRA WORK:**

- Item #1 Traffic Control beyond original contract period due to delays in Ovation Integration outside contractor's control.
- Item #2 Inspection services to maintain local control beyond original contract period due to delays in Ovation Integration outside of contractor's control.
- Item #3 OCP Insurance extension beyond original contract period due to delays in Ovation Integration outside of contractor's control.
- Item #4 Adjustment of contract amount for actual quantities used.

**COST OF CHANGE OR EXTRA WORK:**

- Item #1 \$6,000.00
- Item #2 \$5,362.36
- Item #3 \$12,353.00
- Item #4 (\$12,500.00)

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$11,215.36

The Total INCREASE to the Contract as a result of this Change Order is \$11,215.36

- WHEREAS: On June 24, 2020 the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Pinto Construction Services, Inc., for the Babcock Pump Station Real Time Control project at a cost not to exceed \$1,439,500.00; and
- WHEREAS: On November 17, 2021, the Board of the Buffalo Sewer Authority Authorized Change Order No. 1 to Contract 82000018 in the amount of \$64,431.95 for additional work associated with the Babcock Pump Station Real Time Control Project; and
- WHEREAS: On March 9, 2022, the Board of the Buffalo Sewer Authority Authorized Change Order No. 2 to Contract 82000018 in the amount of \$45,200.00 for additional work associated with the Babcock Pump Station Real Time Control Project; and
- WHEREAS: The Principal Sanitary Engineer and staff, concur with GHD who reviewed and recommended a request for a Change Order No. 3 to Contract No. 82000018 in the amount of \$11,215.36 as detailed above for approval.

CONTRACT SUPPLEMENT CONDITIONS:

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date 06/22/2022.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.
3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 3 to Contract No. 82000018 as written in the above Agenda Item, increasing the contract cost in the amount of \$11,215.36 making the adjusted contract cost \$1,549,131.95

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022



## ITEM NO. 30

**CHANGE ORDER NO. 2 – CONTRACT NO. 82000017**

CONSULTANT:	ORIGINAL CONTRACT COST	\$2,262,000.00
NOVA Site Company, LLC	PREVIOUS CHANGE ORDER	\$0.00
6 Lena Court	THIS CHANGE ORDER	<u>\$235,406.63</u>
West Seneca, NY 14224	ADJUSTED CONTRACT COST	\$2,497,406.63

WORK: Smith at Eagle Inline Storage Real Time Control Project

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

- Item #1 Replacement of Smith St. RTC actuators and purchase of spare actuators for Smith at Eagle RTCs
- Item #2 Installation of check valves at several manhole locations

**REASON FOR CHANGE OR EXTRA WORK:**

- Item #1 The actuator at Smith St. RTC has failed and needs replacement. It is important to purchase spare actuators to prevent downtime at the RTCs in the future.
- Item #2 The installation of the check valves will help to reduce flooding in the upstream areas tributary to the manhole locations.

**COST OF CHANGE OR EXTRA WORK:**

Item #1	\$161,606.63
Item #2	\$73,800.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$235,406.63

The total INCREASE to the contract as a result of this Change Order is \$235,406.63

WHEREAS: In Item No. 20, on April 1, 2020 the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with Nova Site Company, LLC for the Smith St. at Eagle St. Real Time Control Project at a cost not to exceed \$2,262,000.00; and

WHEREAS: Change Order No. 1 to Contract No. 82000017 was approved by the Board on October 20, 2021 with no increase in cost but an increase in the construction schedule of 233 days.

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 2 to Contract No. 82000017 as detailed above and recommend its approval.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 2 to Contract No. 82000017 as written in the above Agenda Item, with an increase in cost of \$235,406.63. The contract cost shall be increased to \$2,497,406.63.

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022

## ITEM NO. 31

**CHANGE ORDER NO. 1 – CONTRACT NO. 82000028**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$743,500.00
National Water Main Cleaning Co.	PREVIOUS CHANGE ORDER	\$0.00
1806 Newark Turnpike	THIS CHANGE ORDER	<u>\$281,500.00</u>
Kearny, NJ 07032	ADJUSTED CONTRACT COST	\$1,025,000.00

WORK: National Water Main Cleaning Co.

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Increase in Contract Amount

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Additional work has been identified, exceeding the initial contract estimates.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$281,500.00

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$281,500.00

The Total INCREASE to the Contract as a result of this Change Order is \$281,500.00

WHEREAS: On October 14, 2020, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with National Water Main Cleaning Co., for Sewer Cleaning and Internal Television Inspection in Conjunction with City's Street Resurfacing Program project at a cost not to exceed \$743,500.00; and

WHEREAS: The Principal Sanitary Engineer and staff have reviewed a request for a Change Order No. 1 to Contract No. 82000028 in the amount of \$281,500.00 as detailed above and recommend its approval.

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days, making the final completion date 07/01/2023.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original

contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.

- 3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
- 4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
- 5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000028 as written in the above Agenda Item, increasing the contract cost in the amount of \$281,500.00 making the adjusted contract cost \$1,025,000.00.

MOTION TO	<u>APPROVE</u>	
MADE BY	<u>MR. ROOSEVELT</u>	
2 <sup>ND</sup> BY	<u>MRS. PETRUCCI</u>	
AYES	<u>3</u>	NOES <u>0</u>

Board Meeting of June 22, 2022

## ITEM NO. 32

**CHANGE ORDER NO. 1 – CONTRACT NO. 82000039**

CONTRACTOR:	ORIGINAL CONTRACT COST	\$3,378,000.00
STC Construction, Inc.	PREVIOUS CHANGE ORDERS	N/A
63 Zoar Valley Road	THIS CHANGE ORDER	<u>\$177,287.80</u>
Springville, NY 14141	ADJUSTED CONTRACT COST	\$3,555,287.80

WORK: Broadway at Oak Real Time Control project

---

**DESCRIPTION OF CHANGE OR EXTRA WORK:**

Item #1 Slag Removal & Disposal

**REASON FOR CHANGE OR EXTRA WORK:**

Item #1 Road base was identified in plan documents and soil bores as being concrete, but was found instead to be an environmentally hazardous slag material and required special disposal.

**COST OF CHANGE OR EXTRA WORK:**

Item #1 \$177,287.80

THE TOTAL COST OF THE CHANGE OR EXTRA WORK: \$177,287.80

The Total INCREASE to the Contract as a result of this Change Order is \$177,287.80

WHEREAS: On October 20, 2021, the Board of the Buffalo Sewer Authority authorized the General Manager to enter into and execute a contract with STC Construction, Inc., for the Broadway at Oak Real Time Control project at a cost not to exceed \$3,378,000.00; and  
 WHEREAS: The Principal Sanitary Engineer and staff concur with CHA who have reviewed and recommend Change Order No. 1 to Contract No. 82000039 in the amount of \$177,287.80 as detailed above for approval.

**CONTRACT SUPPLEMENT CONDITIONS:**

1. The contract completion date established in the original contract or as modified by previous contract supplements is hereby changed by 0 calendar days.
2. Any additional work to be performed under this contract supplement shall be carried out in compliance with the specifications included in the preceding description of changes involved with the supplemental contract drawings designated none and under the provisions of the original

contract, including compliance with applicable equipment specifications, general specifications, and project specifications for the same type of work.

3. This contract supplement unless otherwise provided herein does not relieve the Contractor from strict compliance with the guarantee provisions of the original contract, particularly those pertaining to performance and operation of equipment.
4. The Contractor expressly agrees that he will place under coverage of his performance and payment bonds and Contractor's Insurance all work covered by this contract supplement. The Contractor will furnish to the Owner evidence of increased coverage of his performance and payment bonds for the accrued value of all contract supplements that exceeds the original contract price by twenty percent (20%).
5. The costs established under this contract supplement are acknowledged as including any and all costs associated with the work described herein and including any and all costs associated with any and all work performed or to be performed by the Contractor that may be affected in any manner by the work described herein.

NOW THEREFORE  
BE IT RESOLVED:

That the Board of the Buffalo Sewer Authority hereby approves Change Order No. 1 to Contract No. 82000039 as written in the above Agenda Item, increasing the contract cost in the amount of \$177,287.80 making the adjusted contract cost \$3,555,287.80.

MOTION TO	<u>APPROVE</u>
MADE BY	<u>MR. ROOSEVELT</u>
2 <sup>ND</sup> BY	<u>MRS. PETRUCCI</u>
AYES	<u>3</u> NOES <u>0</u>

Board Meeting of June 22, 2022





## ITEM NO. 35

**CONFIRMATION OF APPOINTMENTS**

CLERK (PROVISIONAL)  
SEWER MAINTENANCE DIVISION  
\$40,981 PER ANNUM  
EFFECTIVE: MAY 31, 2022

JANELLE VACANTI  
141 REBECCA PARK  
BUFFALO, NY 14207

---

SEWER MAINTENANCE SUPERVISOR I (PROVISIONAL)  
SEWER MAINTENANCE DIVISION  
\$61,316 PER ANNUM  
EFFECTIVE: MAY 23, 2022

PATRICK O'CONNOR  
202 CULVER RD  
BUFFALO, NY 14220

---

SEWER CONSTRUCTION WORKER (PROVISIONAL)  
SEWER MAINTENANCE DIVISION  
\$23.39 HOURLY  
EFFECTIVE: MAY 23, 2022

BRENDA DAZA  
509 PLYMOUTH  
BUFFALO, NY 14213

---

LABORER I (PERMANENT)  
SEWAGE TREATMENT PLANT  
\$19.98 HOURLY  
EFFECTIVE: JUNE 6, 2022

PATRICK SULLIVAN  
149 COLGATE  
BUFFALO, NY 14220

---

INTERN (TEMPORARY)  
CITY HALL ADMINISTRATION  
\$23.33 HOURLY  
EFFECTIVE: MAY 31, 2022

BRITHNEY MALCHAN  
5602 AVENUE O  
BROOKLYN, NY 11234

---

INTERN (TEMPORARY)  
CITY HALL ADMINISTRATION  
\$23.33 HOURLY  
EFFECTIVE: JUNE 7, 2022

EMMA HOFFRITZ  
584 POTOMAC APT.1  
BUFFALO, NY 14222

---

LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$140.00 PER DAY  
EFFECTIVE: JUNE 13, 2022

ANTHONY JAMES  
221 SANDERS RD  
BUFFALO, NY 14216

---

LABORER I (SEASONAL)  
SEWAGE TREATMENT PLANT  
\$140.00 PER DAY  
EFFECTIVE: JUNE 13, 2022

SEAN GOODSPEED  
145 SHENANDOAH RD  
BUFFALO, NY 14220

---



ITEM NO. 36

**REQUEST FOR LEAVE OF ABSENCE**

WHEREAS: The Buffalo Sewer Authority has received a request from Joel Renzoni, a permanent Sewer Construction Inspector, for an unpaid leave of absence. Mr. Renzoni has accepted the position of Director of Sewer Maintenance with the Buffalo Sewer Authority beginning June 14, 2022, and has requested an unpaid leave of absence for the duration of his position as Director of Sewer Maintenance; and

WHEREAS: The General Manager has reviewed this request and recommends approval of Mr. Renzoni’s request for an unpaid leave of absence for the duration of his position as Director of Sewer Maintenance with the Buffalo Sewer Authority.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby grants Joel Renzoni, an unpaid leave of absence beginning June 14, 2022, for the duration of his position as Director of Sewer Maintenance with the Buffalo Sewer Authority.

MOTION TO APPROVE  
MADE BY MRS. PETRUCCI  
2<sup>ND</sup> BY MR. ROOSEVELT  
AYES 3 NOES 0

Board Meeting of June 22, 2022

ITEM NO. 37

**TUITION REIMBURSEMENT**

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employees have applied for Tuition Reimbursement:

<u>EMPLOYEE</u>	<u>SCHOOL</u>	<u>COURSE</u>	<u>TUITION%</u>	<u>REIMBURSEMENT TOTAL</u>
Daniel O’Sullivan	Erie Community College	Civil Engineering CAD	90%	\$618.96
Daniel O’Sullivan	Erie Community College	Intro to GIS	90%	\$834.76
Conor Flannery	Buffalo State College	System Analysis	100%	\$883.75
Conor Flannery	Buffalo State College	Fees		\$150.00
Conor Flannery	Buffalo State College	Quality Improvement Through Design of Experiment	100%	\$883.75

NOW THEREFORE BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Reimbursement totaling \$3,371.22. These Reimbursements will be charged to account no. 00820102-421026.

MOTION TO APPROVE  
 MADE BY MRS. PETRUCCI  
 2<sup>ND</sup> BY MR. ROOSEVELT  
 AYES 3 NOES 0

ITEM NO. 38

**TUITION ASSISTANCE**

WHEREAS: In accordance with the Agreements between the Buffalo Sewer Authority and CSEA Local 815 and the Communications Workers of America, the following Buffalo Sewer Authority employees have applied for Tuition Assistance:

<b><u>EMPLOYEE</u></b>	<b><u>SCHOOL</u></b>	<b><u>COURSE</u></b>	<b><u>TUITION</u></b>
Casey Wiles	Medaille College	Business Administration, B.B.A.	\$18,000.00

WHEREAS: No Funds will be expended at this time.

NOW THEREFORE  
BE IT RESOLVED: That the Board of the Buffalo Sewer Authority hereby approves the above applications for Tuition Assistance.

MOTION TO                     APPROVE                      
 MADE BY                     MR. ROOSEVELT                      
 2<sup>ND</sup> BY                     MRS. PETRUCCI                      
 AYES           3           NOES           0          

Board Meeting of June 22, 2022

ITEM NO. 39

**ADJOURNMENT OF MEETING**

MOTION TO APPROVE

MADE BY MRS. PETRUCCI

2<sup>ND</sup> BY MR. ROOSEVELT

AYES 3 NOES 0

Board Meeting of June 22, 2022